

United States District Court
Eastern District of Michigan

United States of America
v.
Parrish Dale West
Defendant

ORDER OF DETENTION PENDING REMOVAL
to Western District of Michigan
Case Number: 05-80641

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending removal in this case.

Part I – Findings of Fact

(1) I find that:

- / there is probable cause to believe that the defendant has committed an offense
- / for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841 and 846;
- “ under 18 U.S.C. § 924(c).

(2) I further find that the defendant has not rebutted the presumption established by finding that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings

/ I find that the government has established by a preponderance of the evidence that there is a serious risk that the defendant will not appear.

“ I find that the government has established by clear and convincing evidence that there is a serious risk that the defendant will endanger the safety of another person or the community.

Part II – Written Statement of Reasons for Detention

I find that the credible testimony and information submitted at the hearing established the following factors under 18 U.S.C. § 3142(g):

- / (a) nature of the offense—conspiracy involves heroin and cocaine; however, beginning date of conspiracy was when def. was 4 years old, def. Not shown to be major participant
- / (b) weight of the evidence—def. is charged by indictment, no evidence of offense offered
- / (c) history and characteristics of the defendant -
 - / 1) physical and mental condition—satisfactory
 - / 2) employment, financial, family ties—self employed, strong family ties to Detroit area, some arrests/travel to Minnesota 1995-1999
 - / 3) criminal history and record of appearance—lengthy criminal record, 6 outstanding warrants
- / (d) probation, parole or bond at time of the alleged offense—on probation, pending violation
- / (e) danger to another person or community—unknown

Marshal service indicates that they can deliver def. To Western District within one week. Defendant may seek bond review in Western District after removal.

Part III – Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

July 14, 2005

Date

s/Virginia M. Morgan

Signature of Judge

Virginia M. Morgan, United States Magistrate Judge

Name and Title of Judge